

DESCRIPTION OF LIMITATIONS AND CONDITIONS
FOR OUTFALLS 001 AND 002

1. General Description

The effluent limitations, monitoring requirements, and other conditions are described in the draft NPDES permit. The effluent limitations in the permit are equivalent to the most stringent values specified in the applicable technology-based guidelines or water quality-based limitations. All anti-backsliding decisions are made in accordance with EPA Region 2 Anti-backsliding Policy, dated August 10, 1993.

2. Technology-Based Limits

The basis for the technology-based effluent limitations for the discharge through outfall serial numbers 001 and 002 is provided as follows:

a. Biochemical Oxygen Demand (BOD₅)

- 1) The 30-day average shall not exceed 30 mg/L. This technology-based limit on the effluent quality attainable to the application of secondary treatment is based on Best Professional Judgment (BPJ) using the Effluent Limitations Guidelines (ELG) for Secondary Treatment Regulation (STR) described in 40 C.F.R. § 133.102(a).
- 2) The 7-day average shall not exceed 45 mg/L. This technology-based limit on the effluent quality attainable to the application of secondary treatment is based on BPJ using the ELG for STR described in 40 C.F.R. § 133.102(a).
- 3) The 30-day average percent removal shall not be less than 85%. This technology-based limit on the effluent quality attainable to the application of secondary treatment is based on BPJ using the ELG for STR described in 40 C.F.R. § 133.102(a).

b. Total Suspended Solids (TSS)

- 1) The 30-day average shall not exceed 30 mg/L. This technology-based limit on the effluent quality attainable to the application of secondary treatment is based on BPJ using the ELG for STR described in 40 C.F.R. § 133.102(b).

- 2) The 7-day average shall not exceed 45 mg/L. This technology-based limit on the effluent quality attainable to the application of secondary treatment is based on BPJ using the ELG for STR described in 40 C.F.R. § 133.102(b).
- 3) The 30-day average percent removal shall not be less than 85%. This technology-based limit on the effluent quality attainable to the application of secondary treatment is based on BPJ using the ELG for STR described in 40 C.F.R. § 133.102(b).

3. **Water Quality-Based Limits**

The effluent limitations listed in Table A-1 of the draft permit, for all contaminants (unless otherwise specified herein), and all special conditions are as imposed in the Water Quality Certificate (WQC) issued by the Environmental Quality Board (EQB), dated August 25, 2010. The WQC was issued by the EQB for the purpose of assuring compliance with EQB's water quality standards and compliance with other appropriate requirements of State law as provided by Section 401(d) of the Clean Water Act (CWA).

a. Copper, Lead and Zinc

The water quality-based numerical limitation from the existing permit (2.9 ug/L) for Copper has been replaced with a less stringent water quality-based limitation (3.73 ug/L) in the WQC issued by the EQB.

The water quality-based numerical limitation from the existing permit (8.1 ug/L) for *Lead* has been replaced with a less stringent water quality-based limitation (8.52 ug/L) in the WQC issued by the EQB.

The water quality-based numerical limitation from the existing permit (81 ug/L) for *Zinc* has been replaced with a less stringent water quality-based limitation (85.62 ug/L) in the WQC issued by the EQB.

EPA has determined that it is appropriate to relax the effluent limitations for these parameters without violating the anti-backsliding provisions of the CWA, in accordance with Section 402(o), since one of the exceptions to the provisions has been satisfied. Section 402(o)(2)(B)(i) of the CWA allows backsliding, if information is available which was not available at the time of permit issuance and would have justified a less stringent effluent limitation at the time of permit issuance.

EQB performed a reasonable potential analysis (which was not performed in the previous NPDES permit) for these parameters, and determined that the discharges from outfalls 001 and 002 cannot reasonably be expected to contribute to water quality exceedances for these parameters.

Also, the anti-degradation requirements are not violated by relaxing the permit limits for these parameters. Since the permittee will be discharging the pollutants at the same level, the discharge would not contribute to further degradation of the receiving water and existing uses would be maintained. The WQC constitutes a determination that the limit is sufficient to assure that the water quality standards are or will be attained.

4. Special Conditions

The Special Conditions in Part I of the draft NPDES permit are part of the WQC, and an integral part of the permit.

5. Additional Requirements

- a. High Peak Flows - In Part I.B.5 of the draft permit, EPA has determined to establish a more stringent monitoring frequency for the WWTPs for the months where high flow peaks historically take place. This more stringent monitoring frequency is based on BPJ, and it is imposed to assure that monitoring is adequately conducted at both WWTPs.
- b. Additional Reporting - In Part I.B.5 of the draft permit, the permittee is required to attach to each DMR, a copy of the flow measurements, chain of custody records, and laboratory reports.

6. General Conditions

These general conditions apply to all NPDES permits as required by 40 C.F.R. § 122.41.